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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,684	01/14/2000	Takenori Idehara	325772014000	7340

7590 12/13/2004  
Barry E. Bretschneider  
Morrison & Foerster LLP  
1650 Tysons Blvd.  
Suite 300  
McLean, VA 22102

EXAMINER

BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
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2624

10

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/482,684

Applicant(s)

IDEHARA, TAKENORI

Examiner

Stephen M Brinich

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-7 and 14-16 is/are allowed.
- 6) ☐ Claim(s) 8-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 8-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Onodera.

Re claims 8-13, Onodera discloses (Figure 3; column 5, line 10 - column 7, line 2), an arrangement for receiving image data in the form of page description language data, converting the input page description language data to image raster (bitmap) data. The time required for this conversion is compared with the time required for transferring raster data (step S307). If the former is shorter then a new compression means is selected for the page description language data (step 307), which inherently requires the retention and storage of this data until this selection is completed. The raster data is then used to produce a printout.

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***Allowable Subject Matter***

3. Claims 1-7 & 14-16 are allowed.

4. The following is a statement of reasons for the indication of allowable subject matter:

Re claims 1, 3, & 14 (and dependent claims 2 & 4-7), the art of record does not teach or suggest the recited comparison of the volumes of first image data and third image data, where the first image data is the originally received data and the third image data is the result of compressing second image data produced by developing the first image data, and then conditionally storing image data based on the comparison result.

Re claims 15-16, the art of record does not teach or suggest the recited conditional (based on whether image data of two previous pages are stored as second rather than first image data) comparison of first image data developing time and a second time required for printing a recording medium

***Response to Arguments***

5. Applicant's arguments, see Paper #9, filed 6/28/04, with respect to claims 8, 10, & 13 (and dependent claims 9 & 11-12) have been fully considered but they are not persuasive.

Re claims 8, 10, & 13 (and dependent claims 9 & 11-12), Applicant argues (Paper #9: page 7, line 7 page 8, line 5; particularly page 7, line 20 - page 8, line 2) that the Onodera

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reference of record discloses a comparison between a time required for expanding compressed raster data and a transfer time, as opposed to the claimed invention that recites a comparison involving the time required for developing page language data. Applicant describes the former, and not the latter, as corresponding to steps S302-S305 of the system disclosed by Onodera.

However, it is not clear what feature of the recited "developing the first image data" (claim 8, line 5; claim 10, line 7; claim 13, line 9), in which "the first image data" corresponds to "printer language data" (claim 8, line 9; claim 10, line 2; claim 13, line 2) rules out a reading of this element on step S307 of Onodera, inasmuch as the step of expanding compressed raster data is part of the process of converting the original page language data of Onodera to the final form which is sent to a printer.

#### **Conclusion**

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

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Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.

Stephen M Brinich  
Examiner  
Art Unit 2624

smb *SMB*  
November 29, 2004